

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

FREEMAN GREEN

Plaintiff,

v.

SAM THARP

Defendant.

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**No. 3:11-1215
Judge Sharp**

O R D E R

The Court is in receipt of a *pro se* civil rights complaint (Docket Entry No. 1) and an application to proceed in forma pauperis (Docket Entry No. 2).

The plaintiff is a resident of Paris, Tennessee. It appears from his application that he lacks sufficient financial resources to pay the fee required to file his complaint. Therefore, the plaintiff's application to proceed in forma pauperis is hereby GRANTED. 28 U.S.C. § 1915(a). However, process shall not issue at this time.

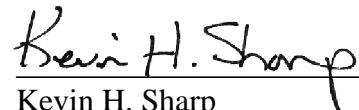
The plaintiff brings this action against Sam Tharp, Mayor of Paris, Tennessee, alleging that he is being illegally prosecuted by officials in Henry County.

Venue for a civil rights action is governed by 28 U.S.C. § 1331(b). That provision requires that an action, such as the instant case, be brought only in (1) a judicial district where any defendant resides, if all defendants reside in the same state, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or (3) a judicial district in which the defendants are subject to personal jurisdiction at the time that the action is commenced, if there is no district in which the

action may otherwise be brought.

In this case, the defendant resides in or around Henry County. The plaintiff's claims arose in Henry County where he currently resides. Since Henry County lies within the Western District of Tennessee, 28 U.S.C. § 123(c)(1), venue for this action properly belongs in that judicial district.

Accordingly, the Clerk is directed to TRANSFER this case to the United States District Court for the Western District of Tennessee, Eastern Division at Jackson, Tennessee. 28 U.S.C. § 1406(a). It is so ORDERED.



Kevin H. Sharp
United States District Judge